761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: January 31, 2002

OFFICE CORRESPONDENCE

FILE:

FROM: RICHARD L. CASTRO, COMMANDER
TRAINING DIVISION

TO: RICHARD A. ADAMS, CAPTAIN
MEN'S CENTRAL JAIL

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, SEPTEMBER 12, 2001, IAB REVIEW #2045480**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on September 12, 2001.

The Committee met on January 31, 2002, and consisted of myself, Commander David Betkey (Commander of the Department) and Commander Patrick Mallon (Commander of the Department). The Committee determined that the use of force by Deputies [redacted] # [redacted] # [redacted] ## [redacted] # [redacted] # [redacted] # [redacted] was within Department policy. **Please advise the deputies of this finding.**

RLC:KRK:kk

Table of Contents

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	001-02782-5100-145	Date:	September 12, 2001	Time:	2030
Location:	3000 Hallway				
City or Station:	Men's Central Jail				
Bureau/Station/Facility:	Custody Division	Admin. Investigation: YES ☐ NO ☒			

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Starkey	Daniel	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Bearse	Patrick		Sgt	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bonilla	Clemente	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Arand	Maurice	

Watch Commander's Signature: ______________________ Emp #: ____________

Copy Provided to Employee by: Sgt. Henry Reyes Emp #: [redacted]

Supervisor Completing Form: Sgt. Henry Reyes Emp #: [redacted]
(Print)

Unit Commanders Signature: ______________________ Emp #: ____________ Date Signed: ____________

PSTD Use Only

FO# 2045480

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 001-02782-5100-145

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PH	AB	FA
S#1	E#1	PH	AB	AR
E#1	S#1	OC	NN	FA
E#1	S#1	PH	LC	FA
E#2	S#1	PH	BR	FA
E#3	S#1	PH	BR	HE
E#3	S#1	PK	BR	AD
S#2	E#4	PH	BR	FA
E#4	S#2	PH	BR	HE
E#4	S#2	PK	FR	FA
E#5	S#2	OC	NN	FA
E#5	S#2	PH	BR	HE
E#6	S#2	PK	BR	BK

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 001-02782-5100-145

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	W	MCJ	3500 Module

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	600	190

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case #	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☒ Female	H	MCJ	3200/3400 Training Deputy

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	502	115

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]		

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	W	MCJ	3000 Movement

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	607	230

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[redacted]	[redacted]	[redacted]	[redacted]

Shift:		Age:	Height:	Weight:
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E5

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	O	MCJ	3000 Prowl

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☐ Regular Shift ☒ OT Shift ☐ Off Duty	[redacted]	601	250

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E6

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	H	MCJ	O.S.J.

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	509	195

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 001-02782-5100-145

Suspect Information

S1

Last Name: Gbur | First Name: Eric | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☒ Male ☐ Female	W	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
[redacted]	[redacted]	26	600	5/01/75	200	☐

Booking #: 6874060 | Primary Charge: Co. Ret | Secondary Charge: | Criminal History [redacted]

Hospital Admission? ☐ | Rec'd Treatment At: USC/LCMC | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☒ NO | Substance: | Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date: 9-12-01 | Time: 2045 | Audiotape: ☒ | Videotape: ☒

Suspect Information

S2

Last Name: Fager | First Name: Daniel | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☒ Male ☐ Female	W	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
[redacted]	[redacted]	28	510	8/16/72	185	☐

Booking #: 6972087 | Primary Charge: 470 P.C. | Secondary Charge: | Criminal History [redacted]

Hospital Admission? ☒ | Rec'd Treatment At: USC/LCMC | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☒ NO | Substance: | Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date: 9/12/01 | Time: 2045 | Audiotape: ☒ | Videotape: ☒

Suspect Information

S_

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: | Primary Charge: | Secondary Charge: | Criminal History ☐

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case#: | Mental History ☐

Under Influence: ☐ YES ☐ NO | Substance: | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐

See Other Side

INVESTIGATIVE SUMMARY
USE OF FORCE
HEAD STRIKE, SUSPECT HOSPITALIZED
001-02782-5100-145
FO#2045480

On Friday, September 14, 2001, Sergeants Henry Reyes and Alfred Gonzales of the Internal Affairs Bureau responded to Men's Central Jail regarding a significant use of force incident, head strike. Internal Affairs Bureau Lieutenant Greg Johnson received notification of the incident earlier that morning. Sergeants Reyes and Gonzales learned that the incident occurred on September 12, 2001, at approximately 2030 hours. Sergeants Reyes and Gonzales also learned that Inmate Fager had been hospitalized with a facial fracture. The following summary is based on reports submitted by the involved deputies who declined to speak to Internal Affairs Investigators without representation and interviews of the involved inmates and witnesses.

INVOLVED PERSONNEL

[redacted]	[redacted]	
[redacted]	Deputy #[redacted]	Men's Central Jail
[redacted]	Deputy #[redacted]	Men's Central Jail
[redacted]	Deputy #[redacted]	Men's Central Jail
[redacted]	Deputy #[redacted]	Men's Central Jail
[redacted]	Deputy #[redacted]	Men's Central Jail

SUSPECT/INMATE:

Fager, Daniel,	Booking #6972087
Gbur, Eric,	Booking #6974060

Inmate Fager has [redacted] Inmate Gbur has [redacted]

IAB Note: To review copies of Inmate Fager's and Inmate Gbur's criminal history, refer to Exhibit E.

WITNESSES:

Starkey, Daniel,	Deputy #[redacted]	Men's Central Jail
Bearse, Patrick	Sergeant #[redacted]	Men's Central Jail

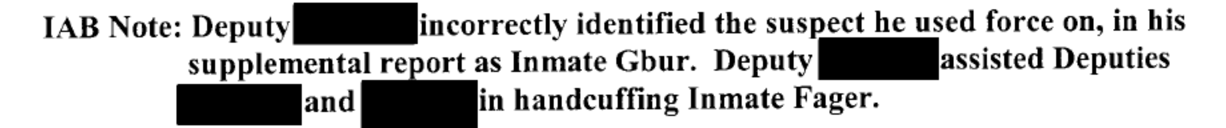
INVOLVED EMPLOYEES STATEMENTS:

Deputy [redacted] **wrote,** he was walking in the 3000 hallway, he saw two inmates sitting on a bench and heard them talking loudly. He told the inmates that talking was not allowed in the hallway and he ordered them to stop talking. The inmates ignored him and continued their conversation. He walked up to the inmates and again ordered them to stop talking. Inmate Fager stood up abruptly and punched him in the right eye. Fager then punched him [redacted] several more times striking him on his upper torso. He defended himself by punching back Fager with both his fists. He landed six or seven punches to Fager's face. He saw Deputy [redacted] spray a two or three second burst, of O.C. spray at Fager's face. Fager lowered his head but continued to throw punches, striking him several additional times on his upper torso. He grabbed the back of Fager's head and pushed him toward the ground while he simultaneously hit Fager four or five times in the face with his right knee. He saw Deputy [redacted] punch Fager two or three times in the abdomen. He and [redacted] pulled Fager to the ground. He ordered Fager to stop fighting but Fager ignored him and continued to throw punches. He then punched Fager three or four more times in the face and head while [redacted] simultaneously punched Fager four or five times in the body. Fager continued to struggle until Deputy [redacted] dropped his knees into Fager's back causing him to lay flat on the ground. He and [redacted] then handcuffed Fager without further incident. He immediately reported the use of force to Sergeant Bearse.

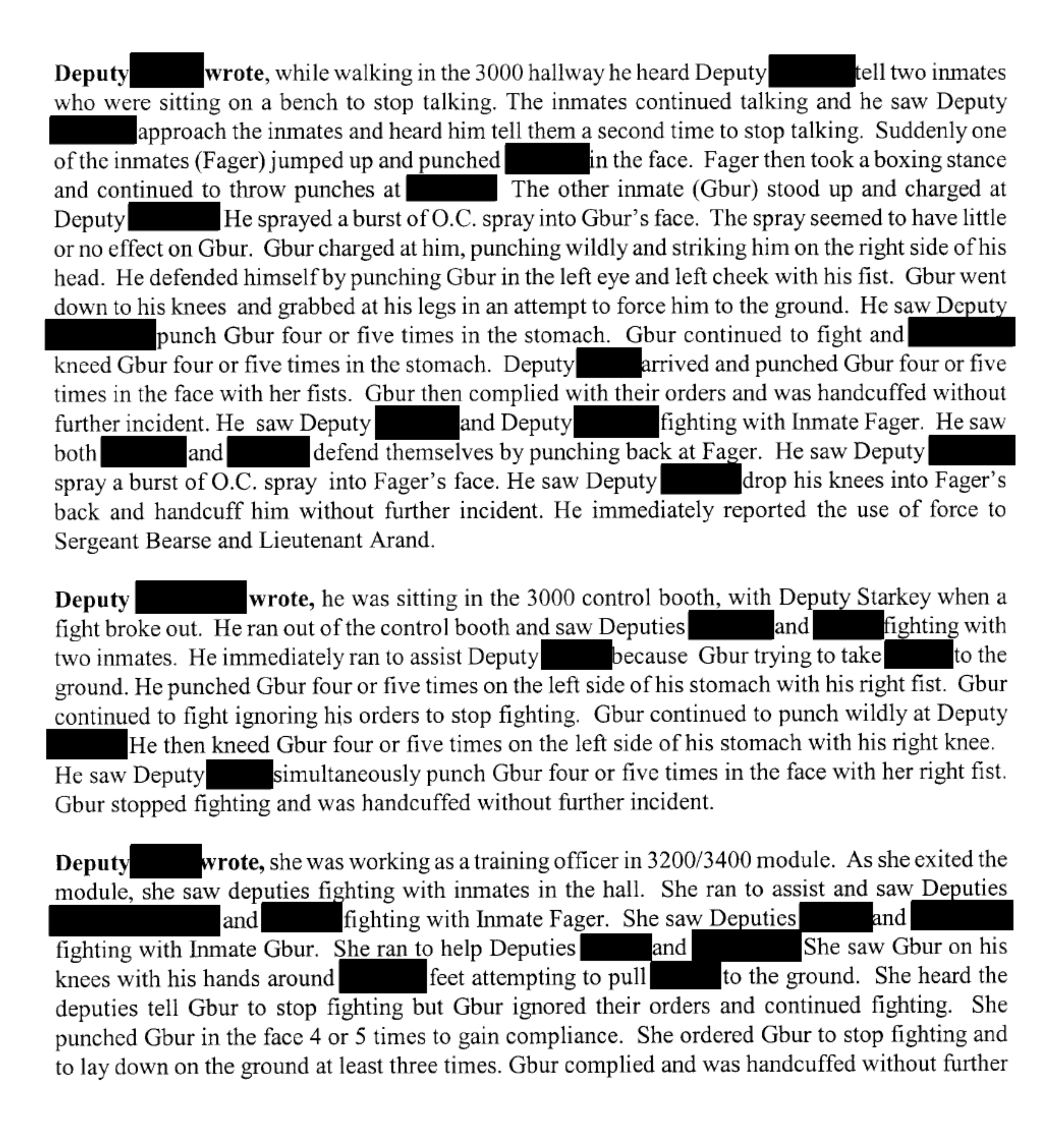
IAB Note: To see photographs of 3000 hallway where incident occurred refer to, Exhibit A.

Deputy [redacted] **wrote,** he was assigned to the 3000 floor Prowl #2 position, on the night of the incident. He saw two inmates sitting on a bench and he heard Deputy [redacted] order the inmates to stop talking. One of the inmates (Fager) stood up and punched [redacted] in the face. He saw [redacted] defend himself by punching back at Fager, striking Fager two or three times in the face. He ran over to them and sprayed a two or three second burst of O.C. spray into Fager's face. Fager continued to fight and he punched Fager two or three times in the abdomen while [redacted] punched Fager in the head and body. He and [redacted] pulled Fager to the ground and he ordered Fager to stop fighting and to place his arms behind his back. Fager continued to throw punches at [redacted] He then punched Fager four or six times in Fager's left torso and back while [redacted] simultaneously punched Fager in the head. Deputy [redacted] arrived and assisted them in handcuffing Fager without further incident. He immediately reported the use of force to Sergeant Bearse.

Deputy [redacted] **wrote,** he heard someone yell stop fighting. He ran outside his office into the 3000 hallway and saw two deputies fighting on the ground with an inmate. The inmate was attempting to push himself up from the ground. He immediately dropped both his knees on top of the suspect's back and handcuffed the inmate without further incident. He immediately reported the use of force to Sergeant Bearse.



IAB Note: Deputy [redacted] **incorrectly identified the suspect he used force on, in his supplemental report as Inmate Gbur. Deputy** [redacted] **assisted Deputies** [redacted] **and** [redacted] **in handcuffing Inmate Fager.**



Deputy [redacted] **wrote**, while walking in the 3000 hallway he heard Deputy [redacted] tell two inmates who were sitting on a bench to stop talking. The inmates continued talking and he saw Deputy [redacted] approach the inmates and heard him tell them a second time to stop talking. Suddenly one of the inmates (Fager) jumped up and punched [redacted] in the face. Fager then took a boxing stance and continued to throw punches at [redacted] The other inmate (Gbur) stood up and charged at Deputy [redacted] He sprayed a burst of O.C. spray into Gbur's face. The spray seemed to have little or no effect on Gbur. Gbur charged at him, punching wildly and striking him on the right side of his head. He defended himself by punching Gbur in the left eye and left cheek with his fist. Gbur went down to his knees and grabbed at his legs in an attempt to force him to the ground. He saw Deputy [redacted] punch Gbur four or five times in the stomach. Gbur continued to fight and [redacted] kneed Gbur four or five times in the stomach. Deputy [redacted] arrived and punched Gbur four or five times in the face with her fists. Gbur then complied with their orders and was handcuffed without further incident. He saw Deputy [redacted] and Deputy [redacted] fighting with Inmate Fager. He saw both [redacted] and [redacted] defend themselves by punching back at Fager. He saw Deputy [redacted] spray a burst of O.C. spray into Fager's face. He saw Deputy [redacted] drop his knees into Fager's back and handcuff him without further incident. He immediately reported the use of force to Sergeant Bearse and Lieutenant Arand.

Deputy [redacted] **wrote,** he was sitting in the 3000 control booth, with Deputy Starkey when a fight broke out. He ran out of the control booth and saw Deputies [redacted] and [redacted] fighting with two inmates. He immediately ran to assist Deputy [redacted] because Gbur trying to take [redacted] to the ground. He punched Gbur four or five times on the left side of his stomach with his right fist. Gbur continued to fight ignoring his orders to stop fighting. Gbur continued to punch wildly at Deputy [redacted] He then kneed Gbur four or five times on the left side of his stomach with his right knee. He saw Deputy [redacted] simultaneously punch Gbur four or five times in the face with her right fist. Gbur stopped fighting and was handcuffed without further incident.

Deputy [redacted] **wrote,** she was working as a training officer in 3200/3400 module. As she exited the module, she saw deputies fighting with inmates in the hall. She ran to assist and saw Deputies [redacted] and [redacted] fighting with Inmate Fager. She saw Deputies [redacted] and [redacted] fighting with Inmate Gbur. She ran to help Deputies [redacted] and [redacted] She saw Gbur on his knees with his hands around [redacted] feet attempting to pull [redacted] to the ground. She heard the deputies tell Gbur to stop fighting but Gbur ignored their orders and continued fighting. She punched Gbur in the face 4 or 5 times to gain compliance. She ordered Gbur to stop fighting and to lay down on the ground at least three times. Gbur complied and was handcuffed without further

IAB Note: To review copies of the Incident and supplemental reports submitted by the involved deputies refer to, Exhibit B.

WITNESSES STATEMENTS:

Deputy Daniel Starkey said he was assigned to the 3000 Floor, as a Prowl Deputy on the night of the incident. He was sitting inside the 3000 control booth, relieving the 3000 control booth officer. He saw two white male inmates, sitting on a bench, a deputy [redacted] was talking to the inmates. He saw one of the inmates (Fager) stand up and punch [redacted] in the face. He saw the [redacted] stumble back and saw Inmate Fager take a boxing stance. He saw the other inmate (Gbur) charge toward Deputy [redacted] Deputy [redacted] who was standing nearby came over to help [redacted] by spraying O.C. Spray in Gbur's face. After being sprayed, Gbur charged at Deputy [redacted] His attention was divided between watching the deputies fight both Fager and Gbur. He saw Deputy [redacted] punch Gbur on the right side of his face twice knocking Gbur to his knees. Deputy [redacted] who had been in the control booth, ran out to help. Deputy [redacted] also arrived and assisted Deputy [redacted] in controlling Inmate Gbur. He saw Gbur grab Deputy [redacted] feet with his hands. He saw Deputy [redacted] punch and knee Gbur four or five times in the abdomen. He saw Deputy [redacted] punch Gbur four or five times in the face. After Deputy [redacted] punched Gbur, Gbur quit struggling and was handcuffed by Deputy [redacted] without further incident.

He saw Deputies [redacted] and [redacted] fighting with Inmate Fager. He saw Deputy [redacted] spray Fager in the face with O.C. spray, Fager continued to fight. He saw Deputy [redacted] knee Fager in the face while Deputy [redacted] simultaneously punched Fager in the abdomen. He saw Deputies [redacted] and [redacted] pull Fager to the floor face down. He saw Deputy [redacted] place both his knees in Fager's back when it appeared that Fager was trying to stand up. He saw [redacted] handcuff Fager without further incident. Deputy Starkey added that he did not see anyone kick either inmate during the fight.

IAB Note: To review a copy of a supplemental report written by Deputy Starkey refer to, Exhibit B.

Sergeant Bearse said he arrived at the incident as the inmates were being assisted to their feet. He contacted both Inmate Fager and Inmate Gbur. He saw that the inmates had numerous abrasions and lacerations on their faces and heads. Inmate Gbur had a 1 ½ inch laceration beneath his left eye. He did not see injuries on either suspect that would be consistent with being kicked. He did not see any black shoe marks or boot marks on either of the inmate's head or face. He was present when Lieutenant Arand interviewed Inmates Fager and Gbur. The inmates told them they were involved in a fight with deputies but they did not go into any details. The inmates never mentioned anything about being kicked by any of the deputies. He added that he attempted to locate witnesses to the incident both was unable to locate any witnesses.

SUSPECT/INMATE STATEMENTS.

Inmate Daniel Fager said he and Gbur were playing handball on the roof when he injured his left ankle. Since Gbur witnessed the injury, he and Gbur waited in the 3000 hallway for an injury report to be taken and so that he could receive medical treatment. A deputy [redacted] started talking "shit" to him and he started talking "shit" back to the deputy. The deputy walked up to him and said, "you're trying to size me up, aren't you." The deputy then slapped him in the face with his (deputies) open hand. He got up and defended himself by punching the deputy. He said several deputies became involved in the fight. He was knocked to ground and kicked repeatedly by unknown deputies. He is unable to identify any of the deputies that attacked him except, the one deputy that initially slapped him. He was kicked in the face, head and ribs and that all of his injuries are from being kicked. The injury to the left side of his face occurred when he was kicked after he was told to place his hands behind his back. He added that he was kicked three times in the face after he was handcuffed by unknown deputies.

Inmate Eric Gbur said he and Inmate Fager were playing handball on the roof when Fager injured his left foot and ankle. While they were waiting for an injury report to be taken in the 3000 hallway, a deputy [redacted] began "talking shit" to Fager. The deputy asked Fager what the difference was between "a Wood and a Skinhead." Fager explained that they were "Skinheads" but they did not consider themselves better than anyone else. The same deputy [redacted] then walked up to Fager and slapped Fager in the face. He is unsure if Fager defended himself by punching back at the deputy. He is uncertain of what happened after that because he was punched and kicked at least fifty times. He was sprayed with O.C. (Oleoresin Capsicum Spray) in his face. He never attempted to hit any deputy and was sitting on a bench with the incident first started. He was knocked from the bench by unknown deputies and he fell to the ground. He immediately covered up his face with his arms as he was being punched numerous times and kicked in the head and face at least six times by unknown deputies. He received the laceration to his left eye when an unknown deputy kicked him in the eye after he put his hands behind his back. He is not able to identify any of the deputies that attacked him. He added after he was handcuffed, a deputy "stomped on his back," causing an injury to his back.

IAB Note: To review photographs depicting injuries to Inmate Fager and Inmate Gbur refer to, Exhibit C.

IAB Note: When interviewed by Lieutenant Arand and Sergeant Bearse immediately after the incident, neither Inmate Fager nor Gbur ever mentioned being kicked by any of the deputies. When asked as to how they received their injuries, both inmates stated that they could not remember. A copy of the video taped interviews is included in this force incident.

INJURIES:

Inmate Gbur received a 1 ½ inch laceration below his left eye which required several sutures. Gbur also sustained bruising and abrasions to his face, head and back. Inmate Fager received a facial fracture to the right side of his face. Fager also sustained bruising and abrasions to his head and face. The attending physician Dr. Joni Dougherty said the inmate's injuries would be consistent with being punched or blunt force trauma.

IAB Note: To review copies of Inmate Fager's and Gbur's medical report refer to, Exhibit D.

PHYSICAL EVIDENCE:

None

INVESTIGATOR OBSERVATIONS:

Injuries to Inmate Gbur and Fager were photographed.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputies [redacted] and [redacted] used Oleoresin Capsicum Spray.

WEAPONS USED BY SUSPECTS

None

PROPERTY DAMAGE

No property damage reported or observed.

CRIMINAL INVESTIGATOR:

Detective Donald Raworth, Jail Investigations Unit is handling criminal case. At the time of this report no charges had been filed against Inmates Fager or Gbur.

LIGHTING OR WEATHER CONDITIONS

Interior corridor lighting in the hallway.